IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.474 OF 2003

IN

SUMMARY SUIT NO.641 OF 2003

Minita Rajesh Kapadia .. Plaintiff

versus

Jignesh Corpn & ors .. Defendants

Mr. R.Shah i/b M/s Raval Shah for Plaintiff.

Ms.Rita Bhatia for Defendants.

CORAM : D.G. KARNIK, J

DATED : 14th February, 2005.

P.C:-

1. Heard learned counsel for the parties. Learned counsel states that the facts in this suit are identical with the facts in Suit No. 657 of 2003. In Summons for Judgment No. 364 of 2003 in Summary Suit No.657 of 2003 a conditional leave has been granted to the defendants. Hence, for reasons recorded in Summons for Judgment No. 374 of 2003 conditional

leave to defend the suit is granted to the defendants subject to their depositing in Court a sum of Rs.1,74,000/- within a period of eight weeks. On such deposit the money shall be invested in a nationalised bank of the choice of the defendants if such choice is indicated at the time of deposit or else in State Bank of India initially for a period of 13 months to be renewed from time to time till disposal of the suit. On deposit of money suit shall stand transferred to the list of commercial causes.

D.G.KARNIK, J